

## REMARKS

The Office Action dated June 15, 2005 has been received and carefully considered. In this response, the specification, figures and claims 4 and 25 have been amended to correct informalities. Reconsideration of the pending rejections is respectfully requested in view of the following remarks.

### **Allowability of Claims 7, 8, 10, 13, 15, 19, 29, 30 and 33-35**

The Applicant notes with appreciation the indication at paragraph 11 of the Final Office Action that claims 7, 8, 10, 13, 15, 19, 29, 30 and 33-35 would be allowable if rewritten in independent form including all of the limitations of the base claims and the intervening claims. The Applicant have elected forego rewriting these claims as suggested by the Final Office Action in view of the following remarks.

### **Objection to the Specification**

The document "Upstream Link for HDCP Revision 1.00" is submitted herewith in an Information Disclosure Statement. This document is a revised version of the document "Upstream Link for HDCP Revision 0.95" discussed in the present application.

### **Anticipation Rejection of Claims 1, 2, 4, 9, 11, 12, 16, 20, 25, 26 and 31**

At page 4 of the Office Action, claims 1, 2, 4, 9, 11, 12, 16, 20, 25, 26 and 31 were rejected under 35 U.S.C. Section 102(e) as being anticipated by Wasilewski (U.S. Patent No. 6,157,719). This rejection is respectfully traversed.

Claim 1, from which claims 2, 4, 9 and 11 depend, recites the features of receiving a single digital data stream, encrypting a first portion of the single digital data stream with a first encryption key to generate a first encrypted stream and encrypting a second portion of the single digital data stream with a second encryption key to generate a second encrypted stream. At paragraph 6, the Final Office Action asserts that the passage of Wasilewski at column 6, lines 24-27 and FIG. 2A disclose the specific combination of features of claim 1. For ease of reference, a portion of Wasilewski including the relied-upon passage is reproduced below:

In FIG. 2A, clear services such as the elementary digital bit streams which comprise MPEG-2 programs are sent through a 1<sup>st</sup> level encryption called the Program Encrypt function 201, which is preferably a symmetric cipher such as the well-known DES algorithm. Each elementary stream may be individually encrypted and the resulting encrypted streams are sent to MUX 200 to be combined with other elementary streams and private data, such as conditional access data.

*Wasilewski*, Column 6, Lines 24-33.

In view of the cited passage of *Wasilewski*, the Final Office Action asserts "the digital cable (video) television system disclosed by *Wasilewski*, a set of any number of bit streams (such as 2 streams) are combined and each of several bit streams are individually encrypted at the Program Encrypt function 201." *Office Action*, p. 4. However, contrary to the assertion of Final Office Action, neither the relied-upon passage of *Wasilewski* nor any other passage of *Wasilewski* discloses or suggests receiving a single digital data stream and encrypting first and second portions of the received single data stream using first and second encryption keys, respectively, to generate first and second encrypted streams, respectively, as provided by claim 1. Instead, the relied-upon passage of *Wasilewski* teaches receiving two or more *separate* data streams, encrypting them, and then combining each of the *separate* encrypted streams to generate a single data stream. Thus, whereas claim 1 is directed to receiving a single data stream and generating two encrypted streams from the single data stream, *Wasilewski* is directed to receiving multiple separate data streams and combining the encrypted streams into a single data stream. The Office Action therefore fails to establish that *Wasilewski* discloses or suggests each and every features of claim 1, as well as each and every feature of claims 2, 4, 9 and 11 at least by virtue of their dependency from claim 1. Moreover, these dependent claims recite additional features neither disclosed nor suggested by *Wasilewski*.

To illustrate, claim 4 recites the additional features of receiving the first and second encrypted streams, decrypting the first encrypted stream to generate a first portion of a received data stream, encrypting the second encrypted stream to generate a second portion of the received data stream and combining the first portion of the received data stream with the second portion of the received data stream to generate a single received data stream. The Final Office Action asserts that the passage of *Wasilewski* at column 7, lines 6-24 and FIG. 2B discloses these features. Specifically, the Office Action asserts that this cited passage discloses "the stream is recovered and demultiplexed, producing a single stream." Contrary to the assertion of the Final

Office Action, the relied-upon passage of Wasilewski neither discloses nor suggests receiving first and second encrypted streams and decrypting the first and second encrypted stream, to generate first and second portions, respectively, of a received data stream nor does the cited passage of Wasilewski disclose or suggest combining the decrypted first and second portions to generate a single data stream.

Claim 12, from which claims 16 and 20 depend, recites the features of a cipher component capable of receiving a single digital data stream, applying a first encryption key to a first portion of the data stream and applying a second encryption key to a second portion of the data stream and a demultiplexing component capable of splitting the single data stream into multiple data streams. The Final Office Action does not address in any detail how Wasilewski discloses at least these features. Regardless, as discussed with reference to the features of claim 1, Wasilewski fails to disclose or suggest receiving a single data stream and applying first and second encryption keys to first and second portions of the single data stream as provided by claim 12. Moreover, Wasilewski fails to disclose or suggest a demultiplexing complement capable of splitting the single data stream into multiple data streams as recited by claim 12. Accordingly, the Office Action fails to establish that Wasilewski discloses or suggests the specific combination of features recited by claim 12, as well as the specific combinations of features of claims 16 and 20 at least by virtue of their dependency from claim 12. Moreover, these claims recite additional features neither disclosed nor suggested by the cited references. To illustrate, claim 16 recites features similar to those cited by claim 4. As discussed above with respect to claim 4, Wasilewski fails to disclose or suggest these features.

Claim 25, from which claims 26 and 31 depend, recites the features of an interface capable of receiving a first and a second link of encrypted data from a hardware controller, a first decryption component capable of decrypting the first link of encrypted data using a first encryption key to generate a first portion of a single received digital data stream, a second decryption component capable of decrypting the second link of encrypted data using a second encryption key to generate a second portion of the received digital data stream and a multiplexing component capable of combining the first and the second portions of the received data streams to form a single received digital data stream. The Final Office Action does not discuss in any detail how Wasilewski discloses or suggests the specific combination of features recited by claim 25. Instead, the Office Action generally refers FIG. 2B in Wasilewski. The

Applicant submits that FIG. 2B of Wasilewski does not disclose or suggest a multiplexing component capable of combining first and the second portions of a received data stream to form a single received digital data stream as recited by claim 25. Moreover, no other passage of Wasilewski discloses at least this feature of claim 25. Accordingly, it is respectfully submitted that the Office Action fails to establish that Wasilewski discloses or suggests the specific combination of features recited by claim 25, as well as the specific combinations of features recited by claims 26 and 31 at least by virtue of their dependency from claim 25. Moreover, these dependent claims recite additional features that are not disclosed nor suggested by Wasilewski.

To illustrate, claim 26 recites the additional features of a clock capable of clocking the single received data stream at twice the speed of the first and second links of encrypted data and a single processing component capable of processing the data associated with the first and the second links of encrypted data. The Office Action asserts that "all modern computer systems use programmable counter/times that are capable of clocking one stream at twice the speed of another." *Office Action*, p. 4. However, the Office Action does not assert that this feature is *disclosed* in any manner by Wasilewski. Instead, the Office Action is relying on an "official notice" argument, which is improper under an anticipation rejection. Accordingly, the Applicant respectfully requests that the Office withdraw the rejection or cite a reference to support of its assertion that this feature is obvious.

In view of the foregoing, it is respectfully submitted that the anticipation rejection of claims 1, 2, 4, 9, 11, 12, 16, 20, 25, 26 and 31 is improper at this time and withdrawal of this rejection therefore is respectfully requested.

### **Obviousness Rejection of Claim 3**

At page 5 of the Office Action, claim 3 was rejected under 35 U.S.C. Section 103(a) as being unpatentable over Wasilewski as applied to claim 1 and further in view of Wright (U.S. Patent No. 6,052,466). This rejection is respectfully traversed.

Claim 3 depends from claim 1. As discussed with reference to claim 1, Wasilewski fails to disclose or suggest the specific combination of features recited by claim 1 and therefore fails to disclose or suggest this specific combination of feature recited by claim 3 at least by virtue of its dependency of claim 1. The Office Action does not assert that Wright discloses or suggests

the specific combination of features of claim 1. Accordingly, the Office Action fails to establish that the proposed combination of Wasilewski and Wright discloses or suggests the specific combination of features recited by claim 3 at least by virtue of its dependency from claim 1. Moreover, claim 3 recites additional features neither disclosed nor suggested by Wasilewski or Wright.

In view of the foregoing, it is respectfully submitted that the obviousness rejection of claim 3 is improper at this time and withdrawal of these rejections therefore is respectfully requested.

#### **Obviousness Rejection of Claims 5, 17 and 27**

At page 6 of the Office Action, claims 5, 17 and 27 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Wasilewski in view of Bartulis (U.S. Patent No. 4,332,464). This rejection is respectfully traversed.

Claim 5 depends from claim 1, claim 17 depends from claim 12, and claim 27 depends claim 25. As discussed above, Wasilewski fails to disclose or suggest the specific combination of features recited by claims 1, 12 and 25. The Office Action does not assert that Bartulis discloses or suggests any of the features of claims 1, 12 and 25. Accordingly, the Office Action fails to establish that the proposed combination of Wasilewski and Bartulis discloses or suggests the specific combination of features recited by claims 5, 17 and 27 at least by virtue of their dependency from claims 1, 12 and 25, respectively. Moreover, claims 5, 17 and 27 recite additional features neither disclosed nor suggested by the cited references.

In view of the foregoing, it is respectfully submitted the obviousness rejection of claims 5, 17 and 27 is improper at this time and withdrawal of these rejections therefore is respectfully requested.

#### **Obviousness Rejection of Claims 21 and 32**

At page 6 of the Office Action, claims 21 and 32 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Wasilewski in view of Otera (U.S. Patent No. 6,507,346). This rejection is respectfully traversed.

Claim 21 depends from claim 12 and claim 32 depends claim 25. As discussed above, Wasilewski fails to disclose or suggest the specific combination of features recited by claims 12

and 25. The Office Action does not assert that Otera discloses or suggests any of the features of claims 20 and 31. Accordingly, the Office Action fails to establish proposed combination of Wasilewski and Otera disclose or suggest the specific combination of features recited claims 21 and 32 at least by virtue of their dependency from claims 12 and 25, respectively. Moreover, claims 21 and 32 recite additional features neither disclosed nor suggested by the cited references.

In view of the foregoing, it is respectfully submitted the obviousness rejection of claims 21 and 32 is improper at this time and withdrawal of these rejections therefore is respectfully requested.

#### **Obviousness Rejection of Claims 22-24**

At page 7 of the Office Action, claims 22-24 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Wasilewski in view of Otera and further in view of Digital Display Working Group, DVI Specification 1.0, 1999 (hereinafter "DDWG"). This rejection is respectfully traversed.

Claims 22-24 depend from claim 12. As discussed above, Wasilewski fails to disclose or suggest the specific combination of features recited by claim 12. The Office Action does not assert that Otera or DDWG disclose or suggest any of the features of claim 12. Accordingly, the Office Action fails to establish that the proposed combination of Wasilewski, Otera and DDWG discloses or suggests the specific combination of features recited by claims 22-24 at least by virtue of their dependency from claim 12. Moreover, claims 22-24 recite additional features neither disclosed nor suggested by the cited references.

In view of the foregoing, it is respectfully submitted the obviousness rejection of claims 22-24 is improper at this time and withdrawal of these rejections therefore is respectfully requested.

#### **Conclusion**


It is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite

resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-0441.

Respectfully submitted,

5 August 2005  
Date

  
Ryan S. Davidson, Reg. No. 51,596  
TOLER, LARSON & ABEL, L.L.P.  
5000 Plaza On The Lake, Suite 265  
Austin, Texas 78746  
(512) 327-5515 (phone)  
(512) 327-5452 (fax)